

SDMS US EPA REGION V -1

**SOME IMAGES WITHIN THIS
DOCUMENT MAY BE ILLEGIBLE
DUE TO BAD SOURCE
DOCUMENTS.**

START

Report Letter to Peggy
Schwebke From
Title: Paul Tachacs Ref:
Siegel Sites Area 2
With Attachments

Date of
Report: 8-24-94

008055



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/785-3912

Refer to: L1630200005 -- St. Clair County
Sauget Sites (Area 2) -- Sauget
Superfund/Compliance

August 24, 1994

Ms. Peggy Schwebke
USEPA Region V, HSE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604

Dear Ms. Schwebke:

As requested, I am sending you the information we had discussed over the phone earlier this week. All of the enclosed information is relative to "Site Q" or the "Sauget Landfill". It includes 103(c) forms, responses to an IEPA 104(e) request from Eagle Marine/Riverport Fleetng (the current property owner) and Browning-Ferris Industries (a generator), and other related PRP information. Background for a past State enforcement case against Sauget & Company is also provided.

In reference to your request for local union contacts, IEPA has had communications with the International Union of Operating Engineers. Though I am unable to recall the contact person, their address is:

International Union of Operating Engineers, Local 520
520 Engineers Road
Granite City, Illinois 62040

Phone: (618) 931-0500

If you have questions or concerns about the enclosures, please do not hesitate to call.

Sincerely,

Paul E. Takács, Project Manager
National Priorities List Unit
Division of Remediation Management
Bureau of Land

Enclosures

cc: Deidre Flannery Tanaka, USEPA (w/o enclosures)
Jeff Gore, USEPA (w/o enclosures)
Terry Ayers (w/o enclosures)
Division File

008056

290800

Now Available.

THE CAHOKIA TRUST PROPERTIES

THESE CHOICE SITES
ARE WAITING
in the heart
of this time-tested
DIVERSIFIED
INDUSTRIAL REGION

THESE NATIONAL MANUFACTURERS ARE YOUR "NEIGHBORS"

Alfred Chemical & Oil Corp.	Armstrong-Busch, Inc.	Continental Can Co.
Alford Mfg. Inc.	Calumet Corp.	Coca-Cola Bottling Co.
Aluminum Co. of America	Chemical Co.	General Chemical Co.
American Agricultural Chemical Co.	General Steel Castings Corp.	Grain Processing Co.
American Brake Shoe Corp.	Gibson Co.	Grain Processing Co.
American Smelting & Refining Co.	Granite City Steel Co.	International Shoe Co.
American Steel Foundries	International Shoe Co.	Laclede Steel Co.
American Zinc Co. of Illinois	Laclede Steel Co.	Louisiana Chemical Co.
A. O. Smith Corp.	Louisiana Chemical Co.	Montgomery Chemical Co.
Armour & Co.	Montgomery Chemical Co.	

YOU CAN SHARE THESE ADVANTAGES, TOO...

WATER 129 billion gallons a day from the Mississippi River plus sub-surface water from 335 square miles of water bearing area. Every city in the nation could draw its daily requirements from the Mississippi at St. Louis and still leave 86 billion gallons of water per day unused!

POWER AND FUEL include an integrated electrical power plant of 2,700,000 KW capacity plus tremendous Illinois and Kentucky coal fields... plus natural gas from Northern Louisiana

TRANSPORTATION world's second largest rail center... nation's second largest truck center... world air traffic center... and center of inland waterway system

INDUSTRIAL RAW MATERIALS center of world's richest agricultural region... plus an abundance of coal, oil, fire clay, glass sand, iron ore, lead, barite, dolomite, limestone, pyrites and others

CONSTRUCTION diversified production and maximum results in low cost of major construction requirements... including all types of building materials

MANUFACTURING COSTS reasonable energy costs... plus superior transportation facilities of this central location assures low cost of assembling raw materials

BASIC METALS the nation's only industrial center that produces five basic metals: iron, lead, zinc, copper, and magnesium (from the world's largest magnesium rolling mill)

CONTAINERS glass, tin, metal, cloth, plastic, wood, paper and other types for all purposes from their major container manufacturing center

CHEMICALS giant plants produce large quantities and a wide variety of basic and intermediate

LOCAL GOVERNMENT no burdensome expense for new community development... all city services and facilities provided for and supported by reasonable tax rate

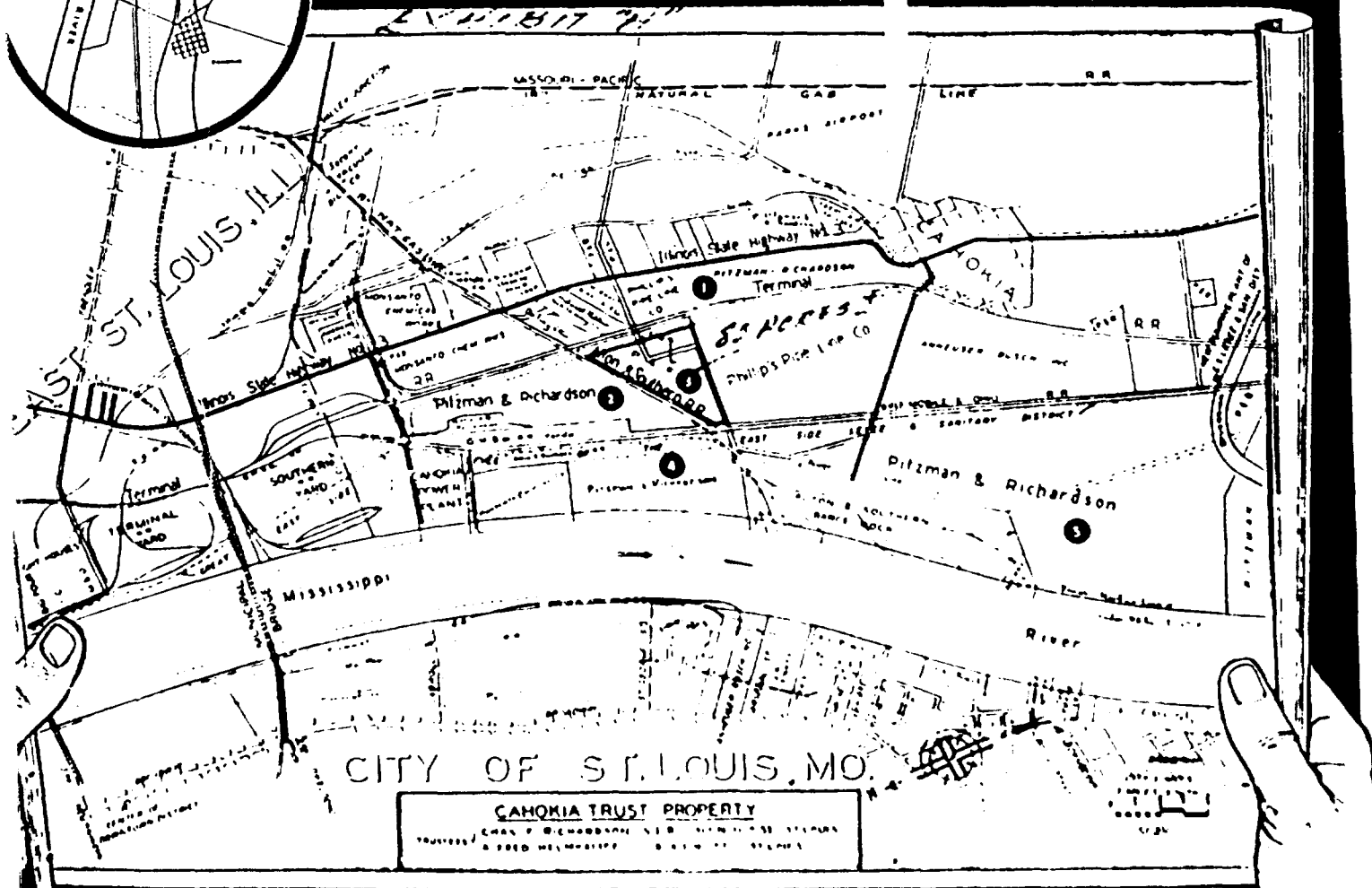
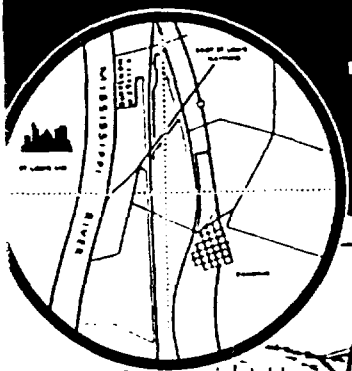
LOCATION TO MARKETS the most strategic location from which to serve all North American markets

DIVERSIFICATION OF INDUSTRIAL ACTIVITY only 8% of companies engaged in any one industry... a most stable community on one of the most widely diversified industrial areas... producing more than 10% of the products listed by U.S. Bureau of Census

CAHOKIA TRUST



CHARLES RICHMOND, Trustee of Property, 317 North Broadway, St. Louis, Mo. 66101
D. J. RICHMOND, Trustee of Property, 317 North Broadway, St. Louis, Mo. 66101



CITY OF ST. LOUIS, MO.

CAHOKIA TRUST PROPERTY

TRUSTEES: CHARLES RICHMOND, 317 NORTH BROADWAY, ST. LOUIS, MO. 66101
D. J. RICHMOND, 317 NORTH BROADWAY, ST. LOUIS, MO. 66101

WHAT YOU WILL FIND IN THE CAHOKIA TRUST PROPERTIES...

Located directly south of the City of East St. Louis, Illinois, and directly across the Mississippi River from St. Louis, the Cahokia Trust Properties are contained in the small communities of Monsanto and Cahokia in St. Clair County, Illinois.

In the heart of the Metropolitan St. Louis area, with its population in excess of 1,900,000 people, the Cahokia Trust Properties are only 100 miles from the center of population of the United States. The economy of this area is very stable, being more diversified industrially than probably any other area in the nation.

The Cahokia Trust Properties are the largest privately owned industrial areas in Metropolitan St. Louis... a direct contrast to the Missouri side of the river where practically no industrial sites of any size are available.

Although the Properties are located in modern communities, a most favorable local tax situation prevails... and in addition, of course, there is no State Income Tax in Illinois.

We invite your attention to the following tract descriptions, available as this folder goes to press. These sites are available as a unit, or as reasonable parts thereof.

...For your present and future industrial growth

It is only a small spot on the map... but there is perhaps no more strategic industrial location in all America!

Cahokia Trust Properties offer that rare combination of a top flight industrial district... in the heart of a major metropolitan center. Centrally located, and at the crossroads of every modern transportation system, these tracts provide easy accessibility, in and out, for your plant.

Enjoy the many advantages of this healthy industrial atmosphere. Your neighbors are some of the nation's top manufacturers... your community is extremely industrial minded, offering many benefits and privileges to the companies it shelters... your opportunity, for present and future growth is literally unlimited.

Only recently has this opportunity developed. And once these tracts are gone, there are no more.

If planning for expansion is part of your responsibility, this folder has been prepared to help you. We shall be glad to discuss it with you and your colleagues. And, we hope, you will investigate this opportunity fully.

WHICH TRACT FITS YOUR NEED?

TRACT No. 1. Approximately 90 acres, fronting on Illinois State Highway No. 3 with nearly a mile of road frontage. It is served on its entire western side by the Terminal Railroad (the joint belt line of the 18 trunk lines entering the Metropolitan St. Louis area).

TRACT No. 2. Approximately 130 acres served by the Terminal Railroad, the Alton & Southern Railroad (a belt line competing with the Terminal Railroad and serving the trunk lines entering St. Louis on the east side of the Mississippi River) and by the main line of the Gulf, Mobile & Ohio Railroad. This tract, in addition to being served by the usual utilities, has unusually large industrial sewer facilities.

TRACT No. 3. Approximately 80 acres served by the Terminal Railroad and the Alton & Southern Railroad; access to Highway No. 3 by private road.

TRACT No. 4. Approximately 130 acres served by the Alton & Southern Railroad. This tract has $\frac{3}{4}$ of a mile frontage on the Mississippi River and is without question the finest piece of riverfront property, with full riparian rights, in the Metropolitan St. Louis area.

TRACT No. 5. Approximately 650 acres, served by the Alton & Southern Railroad. It has over 4000 feet of frontage on the Mississippi River with full riparian rights.

In addition to the properties listed above (and in adjacent locations), the Cahokia Trust has available several smaller tracts.

All utilities such as electric power, city water, gas, sewers, etc., are available to all of these properties and industrial water is available by sinking relatively shallow wells.



CAHOKIA TRUST

TRUSTEES

CHAS. E. RICHARDSON, Society of Industrial Realtors
117 North Eleventh Street, St. Louis 1, Missouri
MAin 1-0952

A. FRED HELMRAAMP

804 Pine Street, St. Louis 1, Missouri MAin 1-8366



THESE S

008058

IT FITS YOUR NEED?

Approximately 90 acres front
State Highway No. 3 with
road frontage. It is served
on the west side by the Terminal
joint belt line of the 18
serving the Metropolitan St.

Approximately 140 acres
Terminal Railroad, the
ern Railroad is a belt line
n the Terminal Railroad
e trunk lines entering St.
at side of the Mississippi
the line of the Gulf
o Railroad. This tract, in
g served by the usual util-
ally large industrial sewer

Approximately 40 acres served
l Railroad and the Alton
Road, access to Highway
a road

Approximately 130 acres
lton & Southern Railroad
g of a mile frontage on the
er and is without question
riverfront property, with
ghts, in the Metropolitan

Approximately 640 acres,
lton & Southern Railroad
0 feet of frontage on the
e with full riparian rights

Properties listed above
locations, the Calumet
ble and smaller tracts

As electric power, city
ers, etc., are available to
view and industrial water
anking relatively shallow

Almost 200 years ago...

PIERRE LACLEDE DISCOVERED THIS PERFECT INDUSTRIAL SITE

Explorer Laclede probably didn't have modern day industry
in mind... but he did recognize the strategic advantages of the
present Metropolitan St. Louis area. Of all the hundreds of
miles of riverfront to select from, this was the point he settled. And
today his judgment looks even better than ever.



Now...almost 200 years later...

THESE SITES ARE AVAILABLE FOR YOU

As valuable as this location is, many of these sites have never been
available before for industrial development. It was only recently
that these magnificent sites have been available to industry.
Now, after almost 200 years, they form a rare opportunity for you.

EPA Notification of Hazardous Waste Site

United States
Environmental Protection
Agency
Washington DC 20460

This initial notification information is required by Section 103(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and must be mailed by June 9, 1981.

Please type or print in ink. If you need additional space, use separate sheets of paper. Indicate the letter of the item which applies. **810609**

IL #259

ILS-000-001-280

Person Required to Notify:

Enter the name and address of the person or organization required to notify.

Name Paul Sargent (Sargent and Co.)
Street 2700 Monsanto Ave
City Sargent State _____ Zip Code 62206

Site Location:

Enter the common name (if known) and actual location of the site

Name of Site Sargent - Sargent Landfill (Closed)
Street Near Levee Rd. & Monsanto Ave
City Sargent County St. Clair State Ill. Zip Code 62201

Person to Contact:

Enter a name, title (if applicable), and business telephone number of the person to contact regarding information submitted on this form.

Name (Last, First and Title) Paul Sargent - Mayor
Phone 618-337-5267

Dates of Waste Handling:

Enter the years that you estimate waste treatment, storage, or disposal began and ended at the site.

From (Year) 1962 To (Year) 1975

Waste Type: Choose the option you prefer to complete

Option 1: Select general waste types and source categories. If you do not know the general waste types or sources, you are encouraged to describe the site in Item 1—Description of Site.

General Type of Waste:

Place an X in the appropriate box. The categories listed overlap. Check each applicable category.

1. ☐ Organics
2. ☐ Inorganics
3. ☒ Solvents
4. ☐ Pesticides
5. ☒ Heavy metals
6. ☐ Acids
7. ☐ Bases
8. ☐ PCBs
9. ☐ Mixed Municipal Waste
10. ☐ Unknown
11. ☐ Other (Specify)

Source of Waste:

Place an X in the appropriate boxes.

1. ☐ Mining
2. ☐ Construction
3. ☐ Textiles
4. ☐ Fertilizer
5. ☐ Paper/Printing
6. ☐ Leather Tanning
7. ☐ Iron/Steel Foundry
8. ☒ Chemical, General
9. ☐ Plating/Polishing
10. ☐ Military/Ammunition
11. ☐ Electrical Conductors
12. ☐ Transformers
13. ☐ Utility Companies
14. ☐ Sanitary/Refuse
15. ☐ Photo/Ink
16. ☐ Lab/Hospital
17. ☐ Unknown
18. ☐ Other (Specify)

Option 2: This option is available to persons familiar with the Resource Conservation and Recovery Act (RCRA) Section 3001 regulations (40 CFR Part 261).

Specific Type of Waste:

EPA has assigned a four-digit number to each hazardous waste listed in the regulations under Section 3001 of RCRA. Enter the appropriate four-digit number in the boxes provided. A copy of the list of hazardous wastes and codes can be obtained by contacting the EPA Region serving the State in which the site is located.

F001
F002
F003
F004
F005

000000 JUN-981

JUN 12 1981

F Waste Quantity: Place an X in the appropriate boxes to indicate the facility types found at the site. In the "total facility waste amount" space give the estimated combined quantity (volume) of hazardous wastes at the site using cubic feet or gallons. In the "total facility area" space, give the estimated area size which the facilities occupy using square feet or acres.	Facility Type 1. <input type="checkbox"/> Piles 2. <input type="checkbox"/> Land Treatment 3. <input checked="" type="checkbox"/> Landfill 4. <input type="checkbox"/> Tanks 5. <input type="checkbox"/> Impoundment 6. <input type="checkbox"/> Underground Injection 7. <input type="checkbox"/> Drums, Above Ground 8. <input checked="" type="checkbox"/> Drums, Below Ground 9. <input type="checkbox"/> Other (Specify) _____	Total Facility Waste Amount cubic feet _____ gallons <u>655,200 G</u> Total Facility Area square feet <u>?</u> acres _____
--	---	---

3 Known, Suspected or Likely Releases to the Environment:
Place an X in the appropriate boxes to indicate any known, suspected, or likely releases of wastes to the environment. ☐ Known ☐ Suspected ☐ Likely ☒ None

Note: Items Hand 1 are optional. Completing these items will assist EPA and State and local governments in locating and assessing hazardous waste sites. Although completing the items is not required, you are encouraged to do so.

4 Sketch Map of Site Location: (Optional)
Sketch a map showing streets, highways, routes or other prominent landmarks near the site. Place an X on the map to indicate the site location. Draw an arrow showing the direction north. You may substitute a publishing map showing the site location.

Description of Site: (Optional)
Describe the history and present conditions of the site. Give directions to the site and describe any nearby wells, springs, lakes, or housing. Include such information as how waste was disposed and where the waste came from. Provide any other information or comments which may help describe the site conditions.

008061

Signature and Title:
The person or authorized representative (such as plant managers, superintendents, trustees or attorneys) of persons required to notify must sign the form and provide a mailing address (if different than address in item A). For other persons providing notification, the signature is optional. Check the boxes which best describe the relationship to the site of the person required to notify. If you are not required to notify check "Other".

Name <u>Robert J. Clayton (Clayton Chem. Co.)</u>	<input type="checkbox"/> Owner, Present
Street <u>1050 Brentwood Blvd.</u>	<input type="checkbox"/> Owner, Past
City <u>Clayton</u> State <u>Mo</u> Zip Code <u>63105</u>	<input type="checkbox"/> Transporter
Signature _____	<input type="checkbox"/> Operator, Present
Date <u>6-8-81</u>	<input type="checkbox"/> Operator, Past
	<input checked="" type="checkbox"/> Other

EPA Notification of Hazardous Waste Site

United States
Environmental Protection
Agency
Washington DC 20460

This initial notification information is required by Section 103(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and must be mailed by June 9, 1981.

Please type or print in ink. If you need additional space, use separate sheets of paper. Indicate the letter of the item which applies.

810609

TL #109

1LS-000-001-095

A Person Required to Notify:

Enter the name and address of the person or organization required to notify.

Name The Pillsbury Company
Street 608 2nd Avenue South
City Minneapolis State Minn. Zip Code 55402

B Site Location:

Enter the common name (if known) and actual location of the site.

Name of Site East St. Louis (Sauget)
Street #10 Pitzman
City East St. Louis County St. Clair State Ill. Zip Code 62201

C Person to Contact:

Enter the name, title (if applicable), and business telephone number of the person to contact regarding information submitted on this form.

Name (Last, First and Title) Smith, Carl A.
Phone (612) 330-5165

D Dates of Waste Handling:

Enter the years that you estimate waste treatment, storage, or disposal began and ended at the site.

From (Year) 1959 To (Year) 1973

Waste Type: Choose the option you prefer to complete

Option 1: Select general waste types and source categories. If you do not know the general waste types or sources, you are encouraged to describe the site in Item I—Description of Site.

General Type of Waste:
Place an X in the appropriate boxes. The categories listed on p. 1. Check each applicable category.

1. ☐ Organics
2. ☐ Inorganics
3. ☐ Solvents
4. ☐ Pesticides
5. ☐ Heavy metals
6. ☐ Acids
7. ☐ Bases
8. ☐ PCBs
9. ☒ Mixed Municipal Waste
10. ☒ Unknown
11. ☐ Other (Specify)

Source of Waste:
Place an X in the appropriate boxes.

1. ☐ Mining
2. ☐ Construction
3. ☐ Textiles
4. ☐ Fertilizer
5. ☐ Paper/Printing
6. ☐ Leather Tanning
7. ☐ Iron/Steel Foundry
8. ☒ Chemical, General
9. ☐ Plating/Polishing
10. ☐ Military/Ammunition
11. ☐ Electrical Conductors
12. ☐ Transformers
13. ☐ Utility Companies
14. ☒ Sanitary/Refuse
15. ☐ Photofinish
16. ☐ Lab/Hospital
17. ☒ Unknown
18. ☐ Other (Specify)

Option 2: This option is available to persons familiar with the Resource Conservation and Recovery Act (RCRA) Section 3001 regulations (40 CFR Part 261).

Specific Type of Waste:
EPA has assigned a four-digit number to each hazardous waste listed in the regulations under Section 3001 of RCRA. Enter the appropriate four-digit number in the boxes provided. A copy of the list of hazardous wastes and codes can be obtained by contacting the EPA Region serving the State in which the site is located.

000081 JUN -981

JUN 05 1981

F Waste Quantity:

Place an X in the appropriate boxes to indicate the facility types found at the site.

In the "total facility waste amount" space give the estimated combined quantity (volume) of hazardous wastes at the site using cubic feet or gallons.

In the "total facility area" space, give the estimated area size which the facilities occupy using square feet or acres.

Facility Type

1. ☐ Piles
2. ☐ Land Treatment
3. ☒ Landfill
4. ☐ Tanks
5. ☐ Impoundment
6. ☐ Underground Injection
7. ☐ Drums, Above Ground
8. ☒ Drums, Below Ground
9. ☐ Other (Specify) _____

Total Facility Waste Amount

cubic foot	Unknown
------------	---------

gallons

Total Facility Area

square foot

acres 40 ~~7~~

G Known, Suspected or Likely Releases to the Environment:

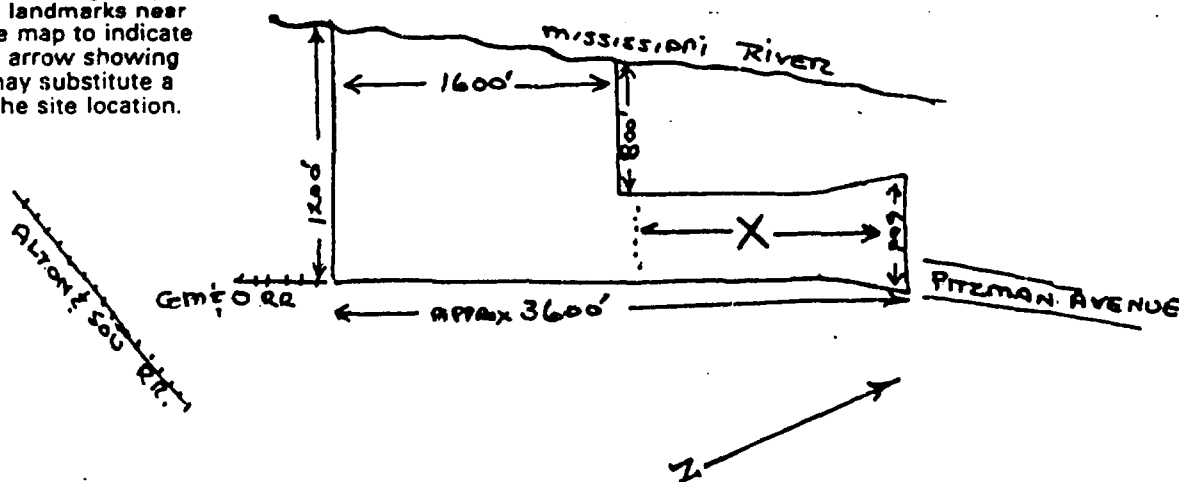
Place an X in the appropriate boxes to indicate any known, suspected, or likely releases of wastes to the environment.

☒ Known ☐ Suspected ☐ Likely ☐ None

Note: Items H and I are optional. Completing these items will assist EPA and State and local governments in locating and assessing hazardous waste sites. Although completing the items is not required, you are encouraged to do so.

H Sketch Map of Site Location: (Optional)

Sketch a map showing streets, highways, routes or other prominent landmarks near the site. Place an X on the map to indicate the site location. Draw an arrow showing the direction north. You may substitute a publishing map showing the site location.



Description of Site: (Optional)

Describe the history and present conditions of the site. Give directions to the site and describe any nearby wells, springs, lakes, or housing. Include such information as how waste was disposed and where the waste came from. Provide any other information or comments which may help describe the site conditions.

The Pillsbury Company leased this property as of September 1, 1979. Prior to our lease the property was in general use as a municipal waste disposal site. It is located next to a former disposal area operated by Monsanto which is now fenced off and posted "Danger - Unauthorized Personnel Keep Out". This area is that portion of property just west of our area designated by X above.

J Signature and Title:

The person or authorized representative (such as plant managers, superintendents, trustees or attorneys) of persons required to notify must sign the form and provide a mailing address (if different than address in item A). For other persons providing notification, the signature is optional. Check the boxes which best describe the relationship to the site of the person required to notify. If you are not required to notify, check "Other".

Name The Pillsbury Company M330

Street 608 2nd Avenue South

City **Minneapolis** State **Mn** Zip Code **55402**

Signature Carol Smith on Jan 3, 1981
Director, Safety and Remediation Affairs

- ☐ Owner, Present
☐ Owner, Past
☐ Transporter
☒ Operator, Present
☐ Operator, Past
☐ Other

EPA Notification of Hazardous Waste Site

United States
Environmental Protection
Agency
Washington DC

This initial notification information is required by Section 103(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and must be mailed by June 9, 1981.

Please type or print in ink. If you need additional space, use separate sheets of paper. Indicate the letter of the item which applies. **810609**

IL#407

ILS-000-001-21

A Person Required to Notify:

Enter the name and address of the person or organization required to notify.

Name Browning-Ferris Industries of St. Louis, Inc.
Street 11506 Bowling Green
City Great Lakes State Mo. Zip Code 63141

B Site Location:

Enter the common name (if known) and actual location of the site.

Name of Site Sauger Landfill
Street Near Levee Rd & Monsanto Ave
City St. Louis County ST CLAIR State ILL. Zip Code 62201

ILD000722074

C Person to Contact:

Enter the name, title (if applicable), and business telephone number of the person to contact regarding information submitted on this form.

Name (Last, First and Title) Wells, Tom - District Manager
Phone (314) 567-2200

615-522-8161

D Dates of Waste Handling:

Enter the years that you estimate waste treatment, storage, or disposal began and ended at the site.

From (Year) 1963 To (Year) 1970

E Waste Type: Choose the option you prefer to complete

Option 1: Select general waste types and source categories. If you do not know the general waste types or sources, you are encouraged to describe the site in Item I—Description of Site.

General Type of Waste:

Place an X in the appropriate boxes. The categories listed overlap. Check each applicable category.

Source of Waste:

Place an X in the appropriate boxes.

Option 2: This option is available to persons familiar with Resource Conservation and Recovery Act (RCRA) Section regulations (40 CFR Part 261).

Specific Type of Waste:

EPA has assigned a four-digit number to each hazardous listed in the regulations under Section 3001 of RCRA. Enter appropriate four-digit number in the boxes provided. A complete list of hazardous wastes and codes can be obtained by contacting the EPA Region serving the State in which the waste is located.

1. ☒ Organics

2. ☒ Inorganics

3. ☒ Solvents

4. ☒ Pesticides

5. ☒ Heavy metals

6. ☒ Acids

7. ☐ Bases

8. ☐ PCBs

* 9. ☒ Mixed Hazardous Waste

** 10. ☐ Unknown

11. ☒ Other (Specify)

* Sanitary sewage sludge with small quantities of unknown hazardous waste.

Small quantities of unknown hazardous

wastes mixed with industrial/commercial/municipal/household wastes.

1. ☐ Mining

2. ☒ Construction

3. ☐ Textiles

4. ☒ Fertilizer

5. ☒ Paper/Printing

6. ☒ Leather Tanning

7. ☒ Iron/Steel Foundry

8. ☒ Chemical, General

9. ☒ Plating/Polishing

10. ☐ Military/Ammunition

11. ☐ Electrical Conductors

12. ☒ Transformers

13. ☒ Utility Companies

14. ☒ Sanitary/Refuse

15. ☒ Photofinish

16. ☐ Lab/Hospital

17. ☒ Unknown

18. ☐ Other (Specify)

000297 JUN-981



Browning-Ferris Industries

Browning-Ferris Industries of St. Louis, Inc.
11506 Bowling Green
Creve Coeur, MO 63141

June 9, 1981

U.S. EPA Region 5
Sites Notification
Chicago, Illinois 60604

Dear Gentlemen:

Pursuant to Section 103(c) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), Browning-Ferris Industries of St. Louis, Inc. (hereinafter, together with its predecessors, is referred to as the "Company") hereby submits notifications (EPA Form 8900-1) for the following facilities, which were never owned or operated by the Company, but which were selected by Company for the disposal of hazardous wastes.

- | | | |
|----|-------------------------------|--------------------|
| 1) | Rt. 203 | E. St. Louis, Ill. |
| 2) | Mal Landfill - Chain of Rocks | Granite City, Ill. |
| 3) | Sauget Landfill | E. St. Louis, Ill. |

Please be advised that while EPA Form 8900-1 is being utilized by the Company for purposes of complying with the Section 103(c) notification requirement, some revisions to the form have been made which we believe more appropriately reflect the type of information being submitted. Also, please be advised that some of the facilities listed above are [were] operated as sanitary landfills which generally receive(d) commercial, industrial wastes, as well as household wastes. The Company has instituted procedures designed to preclude the transportation of such wastes to third party (i.e., third party or municipally owned/operated) sanitary landfills. However, several factors have made, and continue to make, it impossible to know for certain whether any wastes, now deemed by regulation to be hazardous, have ever been unknowingly transported to any of these sanitary landfills.

Prior to November 19, 1980, few states or local governments required generators of hazardous wastes to determine if their wastes were hazardous. Nor were they required to inform off-site commercial transporters or landfill owners/operators such as the Company of the

JUN 15 1981

type or quantity of such wastes received for off-site disposal.

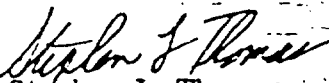
- o After November 19, 1980, only large generators of hazardous wastes were required to notify off-site commercial transporters and landfill owners/operators of the type and quantity of hazardous wastes received for off-site disposal.
- o Both before and after November 19, 1980, federal and state law have permitted the disposal of small quantities of hazardous wastes at sanitary landfills.

Therefore, Company has reported third party owned/operated sanitary landfills which the Company selected and to which it transported commercial, industrial or residential wastes, only if the Company has actual knowledge or a reasonable basis to believe that some of such wastes contained substances which would now be classified as hazardous.

In accordance with the public notice of the availability of Form 8900-1, 46 Fed. Reg. 22144 (April 15, 1981), the Company has not included facilities for which there has been previously filed a notification of hazardous waste activities and/or a "Part A" permit application as required by Sections 3005 and 3010 of the Resource Conservation and Recovery Act (RCRA).

Should you have any questions, please do not hesitate to contact the undersigned or Jim Scheline at (713) 870-8100.

Sincerely,


Stephen L. Thomas
Vice President

SLT/mbe

005066

LAW OFFICES
FRANK L. PELLEGRINI
A PROFESSIONAL CORPORATION
SUITE 400
CHOUTEAU CENTER
133 SOUTH ELEVENTH STREET
ST. LOUIS, MISSOURI 63102

FRANK L. PELLEGRINI

TELEPHONE (314) 241-7445
FAX (314) 241-7449

August 29, 1989

William C. Child, Manager
Division of Land Pollution Control
Illinois Environmental Protection Agency
P. O. Box 19276
Springfield, Illinois 62794-9276

RE: YOUR LETTER OF AUGUST 7, 1989 TO EAGLE MARINE INDUSTRIES,
INC. AND YOUR LETTER OF AUGUST 7, 1989 TO RIVERPORT TERMINAL
AND FLEETING COMPANY
RESPONSE TO REQUEST FOR DOCUMENTATION

Dear Mr. Child:

Please consider this letter a collective response by Eagle Marine Industries and Riverport Terminal and Fleeting Company to your request for documentation which was contained in your August 7, 1989, letter.

Both Eagle and Riverport are involved in the river traffic business and basically purchased the property to secure riverfront interest for fleeting operations for the companies. In view of the operation of both Eagle and Riverport, much of the documentation requested in your letter is non-existent. I have perused the files and find the enclosed material to be responsive to your request, but if you need any additional information, please do not hesitate to contact me.

Very truly yours,


Frank L. Pellegrini

FLP/db

Enclosure

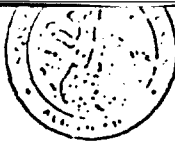
cc: Richard D. Burke (without enclosure)
Milton Greenfield, Jr. (without enclosure)

RECEIVED

AUG 31 1989

ICDA/III PC

008067



STATE OF ILLINOIS
 POLLUTION CONTROL BOARD
 189 WEST MADISON STREET SUITE 900

DAVID P. CURRIC, CHAIRMAN
 SAMUEL R. ALDRICH
 JACOB D. DUMELLE
 RICHARD J. KISSEL
 SAMUEL T. LAWTON, JR.

CHICAGO, ILLINOIS 60602

TELEPHONE
 312-793-3620

May 26, 1971

Mr. Paul Sauget
 Sauget and Company
 2902 Monsanto Avenue
 Sauget, Illinois

:
:
:
:
:
:

Mr. Harold G. Baker, Jr.
 Attorney
 Drawer A
 Belleville, Illinois

:
:
:
:
:
:

Mr. Thomas Scheuneman
 Chief
 Bureau of Legal Services
 Environmental Protection Agency
 2200 Churchill Road
 Springfield, Illinois 62706

:
:
:
:
:
:
:

PCB71-29
 Sauget & Company

Mr. James Keehner
 Chief - Southern Region
 Environmental Control Division
 Attorney General Building
 500 South 2nd. Street
 Springfield, Illinois 62706

:
:
:
:
:
:
:

Dear Sirs:

Enclosed please find certified copies of the Sauget and Company
 Opinion adopted by the Board in the above entitled case on May 26,
 1971.

Kindly acknowledge receipt.

Very truly yours,

Regina E. Ryan

Clerk

Pollution Control Board

REB:jbb
 Encl.

CC: Mr. John H. Bickley, Jr.
 Mr. Stanley L. Lind

890800

ILLINOIS POLLUTION CONTROL BOARD
May 26, 1971

ENVIRONMENTAL PROTECTION AGENCY)

)

71-29

v.)

)

SAUGET & COMPANY)

OPINION AND ORDER OF THE BOARD (BY SAMUEL T. ALDRICH):

Mr. Robert F. Kaucher, Special Assistant Attorney General,
for the Environmental Protection Agency.

Mr. Harold G. Baker, Jr., Belleville, for Sauget & Company and
Paul Sauget

The Environmental Protection Agency filed a complaint against Sauget and Company, a corporation. On motion of the Assistant Attorney General, Paul Sauget, operator of the company, was added as a party respondent. The complaint alleged that before, on and since November 30, 1970, Respondent had allowed open dumping at his solid waste disposal site in violation of Section 21(a) and (b) of the Environmental Protection Act ("Act") and Rule 3.04 of the Rules and Regulations for Refuse Disposal Sites and Facilities ("Land Rules"). The complaint also alleged that since November 30, 1970, Respondent had permitted the open burning of refuse, had failed to provide adequate fencing or shelter, had allowed unsupervised unloading, had not spread and compacted the refuse as it was admitted, and had not covered the refuse at the end of each working day. Further, during the same period, Respondent allegedly had disposed of liquids and hazardous materials without proper approval, had imposed no insect or rodent control, had dumped refuse over a large impractical area and had permitted scavenging and improper salvaging operations. The aforementioned acts are all in violation of various provisions of the Land Rules and/or of the Act. At the hearing on April 13, 1971, allegations of inadequate fire protection and allowing the feeding of domestic animals were dismissed at the request of the Agency.

At the hearing the Agency asked that the wording of its complaint be amended by the substitution of "Before, on and since" for "Since" in all except the first alleged violation. As will become apparent later in the opinion, the failure of the Agency to include the more comprehensive wording was a critical factor in determining the number of violations of which the Board could find Sauget guilty. Respondent claimed surprise, contending that if the request were granted he would be deprived of an opportunity to prepare a defense against the new charges. We agree with Respondent's contention and dismiss

008069

-2-

the request for amendments to the complaint. We hold, however, that Respondent was adequately warned by the Agency complaint against surprise of allegations on November 30.

Before considering the issues in the case, we must deal with Respondent's motion to dismiss the complaint. Respondent argues that the entire complaint should be dismissed on constitutional grounds, contending that the delegation of rule-making power to the Pollution Control Board is unconstitutional. He further contends that the Board cannot impose any fines because of constitutional prohibitions. In PCB 70-34, EPA v. Granite City Steel Co., we held that regulatory powers in highly technical fields are commonly delegated to administrative agencies at every level of government. Responsibility for all rule-making activities would impose an impossible burden on legislatures. We further held that the pollution statutes provide sufficient standards to guide the Board's judgement and adequate procedural safeguards to avoid arbitrary action. We have also held, in PCB 70-38 and 71-6, consolidated, EPA v. Modern Plating Corp., that the Board has the constitutional authority to impose money penalties. We find Respondent's constitutional arguments to be without merit.

The evidence offered in the case leaves little doubt that Sauget & Company allowed open dumping at its solid waste disposal site. The Agency introduced photographs showing that certain identifiable objects were visible on successive days. This is in clear violation of Section 21(a) and (b) of the Act and Rules 5.04 and 5.07(a) of the Land Rules which prohibit open dumping and require that all exposed refuse be covered at the end of each working day. Indeed the record indicates that some refuse present on May 22, 1970, was still uncovered on March 8, 1971. Paul Sauget, secretary-treasurer of Sauget & Company admitted that refuse had not always been covered by the end of each day (R.169). He explained that this was mostly due to mechanical breakdowns of the equipment and contended that the "rule book" allows for such problems. However, Respondent did not attempt to prove that the failure to cover on the days specified by the Agency was due to mechanical breakdown. Further, there can be no excuse for permitting any refuse to remain uncovered for a period of almost a year. We do note, however, that conditions at the site have improved somewhat in recent months. Respondent has attempted to cover the refuse on a regular basis, but efforts in this regard have been hampered by the tremendous volume of material accepted.

An important issue in the case is the type of cover material used. The record indicates that since March of 1966 Respondent had used cinders as cover. Paul Sauget testified that he had been told by the Chief Sanitary Engineer of the Department of Public Health that cinders were acceptable as cover. (R. 157). We agree that Sauget could rely upon the statement of the Department of Public Health as a defense against a charge of improper covering. Rule 5.07 of the Land Rules states that cover material must permit only minimal percolation of surface water when properly compacted. Clearly, cinders cannot be properly compacted and they allow more than minimal percolation. They are thus not acceptable as cover material and their use is in violation of the regulations.

*
008070

The practice of covering with cinders must stop.

Respondent is alleged to have allowed open burning at his waste disposal site in violation of Section 9(c) of the Act and Rule 3.05 of the Land Rules. Photographs taken on December 1, 1970, and introduced by the Agency show material burning on the surface of the refuse. There is some evidence that both surface and sub-surface burning occurred on November 30, 1970. Paul Sauget testified that burning is not done intentionally but that some fires start accidentally. He claimed that when this happens, attempts are made to extinguish the fire. However, a witness from the Agency testified that on December 1, 1970, while Agency personnel were present no attempt was made by defendant's employees to put out a fire. There is reason to believe that Respondent has been negligent in his attempts to stop open burning at the landfill site.

Several witnesses testified that Sauget & Company did not have adequate fencing at its waste disposal site, a violation of Rule 4.03 (a) of the Land Rules. The Rule also requires that the site be furnished with an entrance gate that can be locked. These provisions are designed to prevent promiscuous dumping which renders impossible the proper daily compaction and covering of the refuse. Testimony by witnesses for the Agency indicated that the site in question was not adequately fenced nor provided with a proper gate. These conditions were said to exist on November 30, 1970 (R.31,89). The record indicates that improvements have been made since that time. Fencing was apparently installed on two sides of the landfill site between February 8, and March 22, 1971 (R. 122). Respondent did not dispute the Agency's observations of November 30, but indicated that since that date steps had been taken to restrict access to the site. The record is unclear as to the adequacy of some of these measures and we are undecided whether permanent fencing should be provided on all sides of the landfill site. The record indicates that the liquid waste disposal facility is adequately fenced.

Rule 4.03(a) of the Land Rules also requires that the hours of operation of a landfill site be "clearly shown". This is necessary in order to inform the public as to when dumping is permissible and facilitate proper supervision. Witnesses for the Agency testified that hours of operation were not posted on their visits to the site on November 30, 1970 and March 22, 1971 (R.89,119). This was disputed by Respondent who claimed that signs had been posted since July 1, 1970 (R.167). From the record it is evident that on several occasions the hours of operation were not clearly shown, as required by the regulation.

Again with regard to fencing, Rule 5.04 of the Land Rules requires that portable fences be used when necessary to prevent blowing of litter from the unloading site. Witnesses for the Agency testified that portable fencing had not been provided on three separate occasions since November 30, 1970 (R. 31,60,115). Respondent claimed that portable fences had been used near the face of the landfill since November 30 but did not specifically dispute the contentions of the Agency that fencing was absent on certain dates.

008071

The Agency also alleged that Sauget & Company further violated Rule 5.04 by allowing unsupervised unloading at its waste disposal site. Again the evidence is contradictory. A witness for the Agency testified that the gate to the liquid waste disposal facility was open and unattended on two occasions (R. 119, 121). Respondent indicated that an attendant was always present (R. 168) but the record is not entirely clear as to the degree of supervision provided at the liquid waste facility.

Sauget & Company is alleged to have violated Rule 5.06 of the Land Rules by not spreading and compacting the refuse as it is admitted. Testimony by witnesses for the Agency indicated that this violation occurred on two occasions (R. 90, 115). One of the witnesses interpreted the Rule to mean that refuse must be compacted and covered by the next day (R. 136). This interpretation was not disputed, and we accept it. Since we have already ruled that Respondent is guilty of not covering refuse by the next day, he must also be in violation of Rule 5.06.

Additionally, several witnesses testified that Sauget & Company had not confined the dumping of refuse to the smallest practical area in violation of Rule 5.03 of the Land Rules. The words "smallest practical area" are only vaguely descriptive. We interpret such an area to mean one which can be properly compacted and covered by the end of the working day. We have already found that the Respondent failed to cover his refuse properly. The record does not permit us to decide whether the size of receiving area contributed in part to this failure.

Respondent is alleged to have had no proper shelter at his solid waste disposal site, in violation of Rule 4.03(c) of the Land Rules. Although the absence of shelter in the landfill area was not disputed, the testimony of Paul Sauget indicated that such a structure had been present in the liquid disposal area since 1959 (R. 173). The shelter was said to possess drinking water and toilet facilities, and to be accessible to persons working in the landfill area. We find that the Respondent has provided proper shelter for operating personnel.

The Agency complains that Sauget & Company had disposed of liquid and hazardous materials without prior approval. Rule 5.08 of the Land Rules requires that such disposal be approved by the Department of Public Health. Such testimony was received concerning the disposal of liquids in the liquid waste facility. A witness for the Agency described the odor emanating from these liquids as "very nauseous" (R. 119), but no attempt was made to identify the components of the liquids chemically. Agency witnesses testified that they did not know whether or not the liquids were hazardous. Respondent had registered his liquid waste facilities with the Department and no further permit is required. We find that operations at the liquid waste disposal area are not in violation of any regulations. We are concerned, however, that substances deposited in this area may indeed be hazardous. The proximity of the site to the Mississippi River makes it particularly important that such substances be

008072

identified. We will therefore order that Sauget file with the Agency and Board a list of chemicals being disposed or an affidavit from Monsanto (the only user of the chemical dumping site) that the chemicals do not pose a threat to pollution of the Mississippi River by underground seepage. If the wastes prove to be of a hazardous nature, Sauget & Company will be required to obtain a letter of approval from the Agency according to provisions of 5.08 before continuing to handle such wastes.

Although Respondent's operations at the liquid disposal area do not violate the regulations, there is testimony that liquids have sometimes been deposited at the solid waste facilities. An employee of the Agency witnessed the disposal of liquid wastes at the landfill on three occasions since November 30, 1970 (R.114,117,121). All disposal of liquids at the solid waste facilities must cease.

Paul Sauget admitted allowing "midnight driver sanitary people" to dump at the landfill (R.160). If, as we surmise, this is pumpings from septic tanks it is obviously a most unsanitary practice and is in clear violation of Rule 5.08 of the Land Rules.

Sauget & Company is also alleged to have operated its landfill operation without insect and rodent control in violation of Rule 5.09 of the Land Rules. There is ample evidence that rats have lived at the site (R. 32,39,91). Paul Sauget professed not to know that control was required (R.170). The problem of insect and rodent control is likely due to failure to provide adequate cover for the refuse. Richard Bailard of the Department of Public Health testified that in the absence of daily covering pest control will never be attained (R.92).

There are still more complaints. The Agency alleges that Sauget Company has violated the regulations dealing with scavenging (Rule 5.12 the manual sorting of refuse) and salvaging (Rule 5.10, not defined). Paul Sauget testified that salvage operations were permitted at the site for purposes of safety to the bulldozer and operator and so that the refuse could be compacted properly (R.172). He denied the Agency's contentions that salvaging interfered with the landfill operation and that salvaged materials were allowed to remain at the site in violation of Rules 5.10(c) and (d) of the Land Rules. A witness for the Agency did testify that on March 8, 1971, the sorting operations created less interference than those which he observed earlier (R.61). It is difficult to determine from the record whether many of the activities witnessed constitute a violation of the ban on scavenging or of unsanitary salvage operations. It is clear that materials have been illegally sorted by hand at the dumping site (R.115). This must cease. Scavenging is prohibited and salvage must be conducted at an area remote from the operating face of the fill.

Significance of "Warning" Respondent:

In previous cases where the Respondent had no prior warning and the violations were not flagrant, the Board assessed penalties of \$100 (EPA v. J. M. Cooling, PCB 70-2, and EPA v. Neal Auto Salvage, Inc., PCB 70-5). Where Respondents had prior warning of a history of

008073

actual violation, fines of \$1500 were assessed (EPA v. Eli Amigoni, PCB 70-15, and EPA v. R. H. Charlett, PCB 70-17). This, however, should not be construed as foreclosing fines of greater amount in appropriate circumstances.

This opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

✓ 1. Sauget & Company and Paul Sauget are to comply with Rules 5.06 and 5.07(a) of the Rules and Regulations for Refuse Disposal Sites and Facilities by completing the compaction and covering of all exposed refuse by the end of each working day.

✓ 2. Sauget & Company and Paul Sauget are to cease and desist the use of cinders as cover material.

✓ 3. Sauget & Company and Paul Sauget are to cease and desist the open dumping of refuse in violation of Section 21(a) and (b) of the Environmental Protection Act and Rule 3.04 of the Rules and Regulations for Refuse Disposal Sites and Facilities.

4. Sauget & Company and Paul Sauget are to cease and desist the open burning of refuse in violation of Section 9(c) of the Environmental Protection Act and Rule 3.05 of the Rules and Regulations for Refuse Disposal Sites and Facilities.

✓ 5. Sauget & Company and Paul Sauget are to cease and desist the disposal of liquids at its solid waste disposal facility in violation of Rule 5.08 of the Rules and Regulations for Refuse Disposal Sites and Facilities.

6. Sauget & Company and Paul Sauget are to comply with Rules 4.03(a) and 5.04 of the Rules and Regulations for Refuse Disposal Sites and Facilities with regard to the posting of hours of operation and the provision of proper fencing. Every point of practicable vehi access shall be fenced.

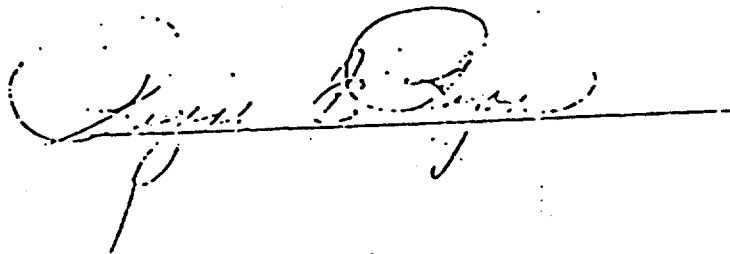
7. Sauget & Company and Paul Sauget are to cease and desist the sorting of refuse by hand in violation of Rules 5.10 and/or 5.12 of the Rules and Regulations for Refuse Disposal Sites and Facilities.

✓ 8. On or before June 15, 1971, Sauget & Company and Paul Sauget shall file with the Agency and the Board a list of chemical compounds being deposited in the liquid waste disposal facility, or an affidavit of Monsanto Company that the chemicals do not pose a threat of pollution of the Mississippi River by underground seepage. Upon failure to furnish such information, the Board shall hold a supplemental hearing on five days' notice to the parties and shall enter such further Order as shall be appropriate.

008674

9. Sauget & Company and Paul Sauget shall remit to the Environmental Protection Agency the sum, in penalty, of \$1,000.00.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above opinion and order this 22nd day of May, 1971.

A handwritten signature in cursive script, appearing to read "Regina E. Ryan", is written over a horizontal line. Below the line, there is a large, stylized initial "R".

LEO SAUGET
PRESIDENT

PAUL SAUGET
SECRETARY AND MANAGER

Sauget and Company

2902 MONSANTO AVENUE
SAUGET, ILLINOIS 62206



337-526.

337-4600

July 7, 1972

Mr. Don C. Elsaesser
135 North Meramec
St. Louis, Missouri

Dear Mr. Elsaesser:

As per our telephone conversation on July 6, I would like to lease the old Milan landfill site for a sanitary landfill.

✓ It will be operated in accordance with the Rules and Regulations of the State of Illinois Environmental Protection Agency.

This area is in the Village limits of Cahokia, which has an ordinance regulating landfills. A license or permit would have to be obtained from the Village.

I would pay \$100.00 per month for the lease beginning approximately September 1, 1972 and continue until I would have to stop dumping or until the site would be filled.

Before I start any filling I will have to do some excavating in accordance with the Rules and Regulations of the Illinois Environmental Protection Agency.

Sincerely,

PAUL SAUGET

PS/bjl

008676

CAHOKIA TRUST PROPERTIES

(Mississippi River Industrial Sites)

Cahokia, Illinois and Monsanto, Illinois

~~2001 MONSANTO AVENUE~~ - ST. LOUIS, MISSOURI 63105 - ~~PA 1-2000~~

135 North Meramec Avenue

863-5005

July 14, 1972

Mr. Paul Sauget
Sauget and Company
2902 Monsanto Avenue
Sauget, Illinois 62206

Re: Old Milan Land Fill Site
Cahokia, Illinois

Dear Mr. Sauget:

In accordance with our prior conversations and your letter proposal of July 7, 1972, we are agreeable to permit you and Sauget and Company to use the above property for a land fill site providing:

1. You operate said land fill in accordance with the Rules and Regulations of the State of Illinois Environmental Protection Agency and any other Governmental agency having jurisdiction and;
2. The Rules and Regulations and Ordinances of St. Clair County and;
3. Providing you operate same in accordance with the ordinances of the Village of Cahokia, Illinois and secure the necessary licenses or permits from said Village and;
4. That you provide the Cahokia Trust and it's Trustees, Charles E. Richardson, Donald C. Elsaesser, and Russell R. Richardson a Liability Policy indemnifying them against any liability as a result of any injury to persons and/or property in connection with said land fill operations on properties owned by Cahokia Trust.

The rental of said land site will be on a month to month basis and will be subject to a 30 day cancellation notice in event said property is sold.

Approved: July 21, 1972
Date
SAUGET AND COMPANY
By: Paul Sauget
Paul Sauget

CAHOKIA TRUST

By: Donald C. Elsaesser
Donald C. Elsaesser
Co-Trustee
Charles E. Richardson
Charles E. Richardson

008077

CAHOKIA TRUST PROPERTIES
(Mississippi River Industrial Sites)
Cahokia, Illinois and Monsanto, Illinois
~~801-MARYLAND AVENUE • ST. LOUIS, MISSOURI 63105 • PA-4-6000~~
135 No. Meramec Avenue 863-5005

April 4, 1973

Mr. Paul Sauget
Sauget and Company
2902 Monsanto Avenue
Sauget, Illinois 62206

Dear Mr. Sauget:

This is to officially advise you that on Monday, April 2, 1973 the Trustees of Cahokia Trust officially closed the sales on Tract #4 (165.143 acres) and Tract #5 (635.868 acres) of the Cahokia Trust properties of which you are thoroughly familiar.

On Tract #4 the Trustee's Deed was delivered to Fred H. Leyhe.

On Tract #5 the Trustee's Deed was delivered to Notre Dame Fleeting & Towing Service, Inc. The sales were closed at Chicago Title Insurance Company in Belleville and the Deeds were duly recorded.

In accordance with the letter agreement dated July 14, 1972 by and between Trustees of the Cahokia Trust and Sauget and Company we are hereby giving you the 30 day cancellation notice required as per the last paragraph of this agreement, "The rental of said land site will be on a month to month basis and will be subject to a 30 day cancellation notice in event said property is sold".

As you recall on Monday, January 22, 1973, I brought Mr. Fred Leyhe and Mr. Dick Burke, both officers of Notre Dame Fleeting & Towing Service, Inc. to your office in Sauget Village for the purpose of meeting each other. We advised you at the time that both Tracts #4 and #5 were scheduled to close on April 2, 1973. We also went over with you the new surveys of both tracts that were completed in January by Elbring Surveying Co.

Mr. Fred Leyhe will be calling you in the near future to discuss with you any future plans on both parcels.

Enclosed is a copy of the agreement referred to above and dated July 14, 1972. Mr. Fred Leyhe's phone # is GA1-3575 and his address is:

Mr. Fred H. Leyhe, President
Notre Dame Fleeting & Towing Service, Inc.
Suite 1252
112 N. Fourth Street
St. Louis, Missouri 63102

008078

June 15, 1973

Mr. Paul Saugat
c/o Saugat City Hall
Saugat, Illinois 62201

"Personal and Confidential"

In re: Saugat Landfill
Fred Leyne - Notre Dame Fleeting & Towing, Inc.

Dear Mr. Saugat:

We wish to advise that this office represents Mr. Fred Leyne and the "Notre Dame Fleeting & Towing, Inc. Mr. Leyne is now the present owner of Tract 4 and 5 which are noted on the enclosed plat. It is our understanding that you are operating a landfill on Tract 4 at the present time even though the property is not owned by you. Mr. Leyne has indicated to me that there is no agreement at the present time between your company and his that would permit dumping on Tract 4. It is our further understanding that dumping is continuing on Tract 4 at the present time without the permission of Mr. Leyne or any officer of his company.

Further, we have been informed by the Environmental Protection Agency that the type of dumping that is being performed is violative of several of their standards. Therefore, please consider this letter our notice to you to stop immediately all of your landfill operations on the property owned by or for client.

If you have any questions or wish to discuss the matter in more detail, please contact me.

Very truly yours,

Fred C. Hollenbeck

FPH:JS

cc: client

008079

DISPOSAL AGREEMENT

THIS AGREEMENT made and entered into this 17TH day of JUNE, 1974 by and between FRED H. and LOUISE K. LEYHE, hereinafter called "Leyhe" party of the first part and UNION ELECTRIC COMPANY, a Missouri corporation, hereinafter called "Union Electric" as party of the second part.

WITNESSETH THAT:

WHEREAS, Union Electric has an electric power plant in the Village of Monsanto, Illinois known as the Cahokia Power Plant, hereinafter referred to as "Plant", which plant has for disposal during its operation waste, slag, cinders, ash and oil residues from its furnaces, and

WHEREAS, Leyhe is the owner of a tract of land adjacent to said plant as more particularly set out on Exhibit A and attached hereto and incorporated by reference herein, and

WHEREAS, Union Electric is desirous of leasing approximately twelve (12) acres of aforesaid tract of land, and

WHEREAS, Union Electric has already done some filling with waste, ash and cinders on certain portions of said tract and wishes to continue to do so, and

WHEREAS, Leyhe wishes to accommodate Union Electric as to its wishes to continue dumping its said waste, slag, cinders, ash, oil residue, etc.

NOW THEREFORE, for and in consideration of the mutual promises and undertakings it is agreed as follows:

1) Leyhe agrees to and does hereby grant to Union Electric all such easements and rights as are necessary for Union Electric to deposit said waste materials which are at least as suitable for building foundations as existing sandy alluvial soils on only that portion of said tract set out on Exhibit B and attached hereto and incorporated by reference herein.

003030

2) In the case the fill made by Union Electric becomes so dusty as to become a nuisance during the period in which this agreement is in effect, then upon demand by Leyhe, Union Electric shall, as soon as possible, take such steps as are necessary to eliminate the dust nuisance and Union Electric agrees that it will indemnify Leyhe, or their successors or their assigns, for any liability or damage or expense resulting from or by reason of such nuisance.

3) It is understood and agreed that Union Electric shall use all practical precautions to prevent accidents from occurring and also that Union Electric assumes and agrees to pay for all damages to persons and/or property including property of Leyhe arising out of or pertaining in any way to any work and/or dumping herein contemplated, and furthermore Union Electric is to fully protect and indemnify Leyhe against any and all costs including attorneys fees, judgments and penalties which Leyhe may become liable for by reason of any such suits or administrative proceedings.

4) Union Electric agrees that it shall be its sole responsibility to secure the necessary permits for its said waste disposal from, including but not limited to, the Illinois Environmental Protection Agency, the Federal EPA Office, the Corp of Engineers, the Illinois Department of Transportation and any other such permit as may be required by any governmental authority whatsoever to proceed with the dumping of its waste materials on said property. Union Electric agrees that it shall be responsible for defending any such action and paying any assessments and/or penalties as a result of such action or actions by any governmental agency which arise because of said waste disposal by Union Electric.

5) This agreement and all of its provisions shall terminate two (2) years from the date hereof.

6) Union Electric shall pay to Leyhe the sum of Twenty One Thousand Six Hundred Dollars (\$21,600.00) over a two (2) year period, said sum being due and payable in advance on the first month of each quarter as follows:

April 1, 1974 Two Thousand Seven Hundred Dollars (\$2,700.00).
July 1, 1974 Two Thousand Seven Hundred Dollars (\$2,700.00).
October 1, 1974 Two Thousand Seven Hundred Dollars (\$2,700.00).
January 1, 1975 Two Thousand Seven Hundred Dollars (\$2,700.00).
April 1, 1975 Two Thousand Seven Hundred Dollars (\$2,700.00).
July 1, 1975 Two Thousand Seven Hundred Dollars (\$2,700.00).
October 1, 1975 Two Thousand Seven Hundred Dollars (\$2,700.00).
January 1, 1976 Two Thousand Seven Hundred Dollars (\$2,700.00).

It is agreed that in the foregoing instrument all obligations and rights of Union Electric set forth in the foregoing shall apply with equal force and effect to successors or assigns of said Union Electric and furthermore that all obligations and rights of Leyhe set forth in the foregoing shall apply with equal force and effect to successors and assigns.

7) Union Electric agrees to use said property solely for the disposal of its waste at the Cahokia Plant. It further agrees to maintain its pipes, etc. placed on said property at its own expense. Further, Union Electric agrees not to make alterations or perform any permanent construction upon said property without Leyhe's prior written consent.

8) Union Electric agrees not to assign this agreement in whole or in part without the prior written consent of Leyhe. Leyhe hereby consents to the assignment of the lease to a corporation which

shall apply with equal force and effect to successors and assigns.

7) Union Electric agrees to use said property solely for the disposal of its waste at the Cahokia Plant. It further agrees to maintain its pipes, etc. placed on said property at its own expense. Further, Union Electric agrees not to make alterations or perform any permanent construction upon said property without Leyhe's prior written consent.

8) Union Electric agrees not to assign this agreement in whole or in part without the prior written consent of Leyhe. Leyhe hereby consents to the assignment of the lease to a corporation wholly owned by Union Electric provided that the corporation assumes all of the obligations of Union Electric under the lease. In no event shall Union Electric be relieved of its obligation under this lease.

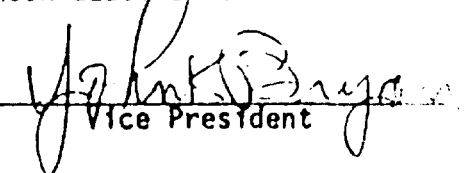
9) In the event that Union Electric shall default in payment of rent or fail in the performance of its other obligations under this lease, Leyhe may in addition to other remedies provided by law, terminate this lease and re-enter upon the premises. Upon re-entry, whether it be actual or constructive, Leyhe may re-let the premises for Union Electric's account. Union Electric remaining liable for the unpaid balance of the rent to the extent of any deficiency from the re-letting as well as all reasonable costs incurred as a result of the re-letting including attorneys fees. Leyhe shall not be obligated to re-let the premises.

10) Union Electric agrees that if during the term of this agreement and prior to its normal termination Leyhe receives a bonafide offer to sell all of the tract as described in Exhibit A, or a portion of the tract as described in Exhibit A, but including all or a portion of the tract described in Exhibit B; or if Leyhe receives an offer for the lease of all of the tract as described in Exhibit A, or a portion of the tract described in Exhibit A but including all or a portion of the tract as described in Exhibit B, then in either of such events, Leyhe may terminate this agreement upon thirty (30) days written notice to Union Electric.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year set forth above.

UNION ELECTRIC COMPANY

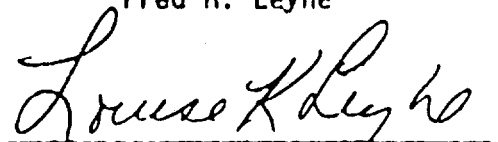
By


Vice President

ATTEST:


Secretary


Fred H. Leyhe


Louise K. Leyhe

009084

EXHIBIT A

ALL those certain lots, pieces and parcels of land with the buildings and improvements thereon, situate, lying and being in the County of St. Clair, and State of Illinois, bounded and described as follows:

Part of Lot No. 302 of the "FOURTH SUBDIVISION CAHOKIA VILLAGE COMMON"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of PLATS B on Page 10, and parts of Lot No. 304 of the "SIXTH SUBDIVISION CAHOKIA VILLAGE COMMON"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Plats B on page 25, described as follows:

Beginning at a point in the South line of Riverview Avenue, 70 feet wide, said point being the Northeast corner of a tract of land conveyed to Monsanto Chemical Company by deed recorded in Book 1299 on Page 310 of the St. Clair County Records; thence along the South line of Riverview Avenue, South 68 degrees 20 minutes 30 seconds East 599.36 feet to a point on the West right-of-way line of the Gulf-Mobile and Ohio Railroad, 100 feet wide; thence along the West right-of-way line of said railroad, South 32 degrees 02 minutes 32 seconds West 238.21 feet to a point of curve; thence continuing along the West Right of Way line of said railroad along a curve to the left having a radius of 2914.93 feet an arc distance of 503.27 feet to the point of tangent; thence still continuing along the West right-of-way line of said railroad, South 22 degrees 09 minutes 00 seconds West 4189.77 feet to a point, said point being on the North line of a 56.7 foot wide strip of land conveyed to Monsanto Chemical Company by deed recorded in Book 995 on page 32 of the St. Clair County Records; thence leaving the West Right-of-Way line of said Gulf-Mobile and Ohio Railroad and along the North line of said Monsanto Chemical Company tract South 58 degrees 21 minutes 41 seconds West 993.81 feet to a point on the North line of a tract of land established in survey by Robert P. Weinel during April 1968; thence